

HIS MOTHER A WAITS RETURN

MRS. MARY E. COLVIN GETS NO
REPLY FROM SON.

All Endeavors Meet With No Response
—Chief Browning Unable to
Locate Long Absent Boy.

Mrs. Mary E. Colvin of 1851 River-
side and Park avenue is very much
grieved and worried over the absence
of her son, Azariah, who left home two
years ago and has not been heard from
since, notwithstanding the fact that the
mother, together with the police
department of the city, have exerted
every possible effort to locate him.
The mother has written innumerable
letters to her son, addressing them to
places where she thought he might be,
but up to this time she has not received
an answer to one of them.

She states that her boy in his early
childhood was rather weak, physically,
and that the doctors consulted in the
matter advised her to send him to
school. As a result of this the boy
grew to early manhood without receiving
much education and when he left
home, the mother states, he could
hardly write his name, but at the same
time she feels that if he received her
letters he would have had some of his
companions write an answer to them
so as to relieve her mind regarding
his whereabouts.

Mrs. Colvin fears that her son is
dead, or that something evil has be-
fallen him which has isolated him
from the world of communication.
She brought the matter of the boy's
departure from home to the police
department of Ogden at the time of his
disappearance, but they have not been
able to locate him. Chief Browning
stated last evening that a number of
letters were sent to the different sec-
tions of country making inquiry re-
garding the young man, but no trace

of him could be found, except that it
was written by officers of a state of
the coast that a young man could not
be located with the "Wild West" show
and that it was their opinion that he
had deserted the show and gone in
some other direction.

About two years ago when the "Wild
West Show" was in Ogden, young Col-
vin became intimately acquainted with
a man by the name of Fred Clark, who
was associated with the show people
and who was injured while in Ogden,
necessitating his remaining here for
a few days after the show passed on
and that Clark continually persisted in
having the boy join him in the show
business. Finally, when Clark took
his departure from the city to follow
the show, the young man also disap-
peared from home and his mother has
heard nothing from him since. She is
of the opinion that her boy went away
with this man.

Mrs. Colvin is a widow, her husband
having died about a year ago, and she
is left with a large family of children
to support. Azariah is now 22 years
old and the mother says that if she
could locate him and persuade him to
return home he would be a great help
to her. She is exceedingly anxious to
hear from him or to know whether he
is dead or alive. The young man is
5 feet six inches tall, has dark hair and
eyes and has a scar across the left
cheek. The mother states that he
was always of good habits and a boy
of genial disposition.

There is Only One "BROMO QUI-
NINE"
That is LAXATIVE BROMO QUI-
NINE. Look for the signature of E.
W. GROVE. Used the World over to
Cure a Cold in One Day. 25c.

REAL ESTATE TRANSFERS

The following real estate transfers
have been filed for record in the office
of County Recorder Wallace:

John S. Wallace to Annie Burt, lots
1 and 2, block 13, Nob Hill addition.
Consideration, \$100.

David Eccles and wife to Lillie
Krauss, part of block 47, plat C, and
part of the northeast quarter of sec-
tion 28, township 6, range 1 west. Con-
sideration, \$200.

Harold Stacker, formerly of the
Bright barber shop, is now located at
the Reed hotel.

BURNS AN ALL ROUND BAD MAN

KNOWN TO HAVE BEEN IMPLI-
CATED IN VARIOUS CRIMES.

Complaint Filed Against James Pres-
ton in Ogden Municipal Court
Yesterday Afternoon.

On Friday night, November 27, 1908,
immediately after 11 o'clock, Deputy
Sheriff Seymour L. Clark, of Weber
county, was shot down in cold blood,
by an unknown hand at Uintah, in
Weber county. Because of the foul
crime, the people of Ogden City, Web-
er county, and the entire state were
thrown into deep grief and consterna-
tion. The man who did the killing was
unmistakably a man of desperate
character who had that night bur-
glarized a box car of the Union Pa-
cific railroad and stolen therefrom six
boxes of shoes, which he had piled
alongside the roadway, preparatory to
hauling them away to a point of safety
at which point they might be disposed
of for pecuniary advantage.

For a number of months the officers
of the law have been searching dili-
gently for the man who is supposed to
have committed the crime, but up to
the present time that man has not
been apprehended. For a number of
weeks it seemed almost impossible to
gain any clue whatever as to the iden-
tity of the guilty party; but, one step
after another was taken in the search,
until it finally developed that one
James Preston was implicated in the
burglary of the car of shoes. This in-
formation was disclosed through a
statement alleged to have been made
by Preston's wife, that her husband
had confessed to her that he was a
burglar, but that he had nothing to
do with the killing of the officer, Pres-
ton stating that a man giving the name
of Burns was the one who shot Deputy
Sheriff Clark. Preston was placed under
arrest and has been held by the officers
since that time; first being confined in the
jail at Salt Lake, but now in the Weber
county jail.

Burns, who is an ex-convict from the
state of California, and whose photo-
graph was published in this paper
a short time ago, at the same time
giving a detailed account of Preston's
confession and the escape from the
scene of the murder to Reno, Nev.,
is the man wanted for the awful crime
and there is little question but that
he will ultimately be apprehended and
brought to Ogden for trial. His record
is a bad one. He served a term in
the California penitentiary at San
Quentin for burglary, and since that
time he has been known to have been
concerned in criminal opera-
tions other than the burglary referred
to at Uintah and the killing of Officer
Clark.

Shortly after his release from the
penitentiary in California, he was run
out of Shafter, Nevada, as an all-
round bad man and between that time
and the killing of Clark, he has been
known to have been connected with
burglaries and hold-ups of various
kinds. There is but little question
that Burns is under shelter at some
point west of Ogden. Immediately after
the murder of Clark, he made his way
along the railroad track for a con-
siderable distance to his team, which
he had tied to a bush and with the
team made his escape into Davis
county, and from there to Salt Lake
City, where he met his confederate,
Preston, whom he told of the murder.
It is now known that there was a
third party implicated in the bur-
glary and murder, a mulatto, whose
name is not known.

James Preston was transferred from
the Salt Lake to the Ogden jail Tues-
day afternoon, to face the charge of
burglary. The complaint was filed in
the Ogden municipal court yesterday
afternoon by County Attorney David
Jensen, it being sworn to by Special
Officer T. B. Hart, of the Union Pacific
Railroad company. The time for the
preliminary hearing has not been set,
but Attorney Jensen stated last even-
ing that the matter would be taken
up at the earliest possible moment.

The county attorney is of the op-
inion that the evidence at hand is quite
sufficient to warrant the conviction of
Preston of burglary, which was com-
mitted at Uintah on the night of
Clark's murder, and it is very likely
that the defendant will experience
some difficulty in disentangling him-
self from the incidents connected with
the murder of Officer Clark. It is
thought by the officers that the cor-
roborative testimony to be offered in
support of Preston's alleged confes-
sion will be sufficient to convict him
of the crime with which he has been
charged.

Preston has nothing to say regard-
ing the matter, and it is thought that
he will make no further statements
regarding the horrible affair until the
time of his hearing before the magis-
trate and possibly not then. It may
be that he will not be called upon to
make a detailed statement of the
transactions that fateful night, until
Burns is captured and Preston is
placed in the witness chair to testify
in the case. The circumstances of the
tragedy have been given by this paper
in as accurate a detail as it is possible
to detail occurrences not verified by

ASK YOUR NEIGHBORS

And you will generally find that they know of more good, intelligent people, those of good sense and discernment in your vicinity who have been cured by Dr. Pierce's World-famed Family Medicines than by all other proprietary medicines. They have been making these cures right along for over forty years and altogether likely you will easily find people all about you who will be only too glad to say a good word for them. These old reliable curatives are not exploited or urged upon the afflicted by extravagant and false promises but have a record of real, genuine cures to sustain them.

Among women Dr. Pierce's Favorite Prescription is truly a favorite by reason of its remarkable cures which, for over forty years by far exceed those which can be credited to any medicine extant. By a little inquiry you will no doubt find some of these cured and grateful cases in your immediate neighborhood, for they are to be met with practically EVERYWHERE. They are Dr. Pierce's best advertisements. Seek their advice if you are a poor despondent overburdened broken down, weak, or pain-wracked woman, suffering from some derangement or weakness incident to your sex.

The People's Common Sense Medical Adviser in plain English, by R. V. Pierce, M. D., (new fully revised up-to-date edition) gives all particulars which women need to know about their peculiar functions and how to correct ordinary derangements and weaknesses. Cloth-bound volume of 1000 pages, 31 one-cent stamps, or in paper covers for 21 cents, post-paid. Why not send for it NOW? The New Edition is almost a household necessity.

Address: World's Dispensary Medical Association, Dr. R. V. Pierce, President, Buffalo, N. Y.

DR. PIERCE'S PLEASANT PELLETS ARE A MILD BUT EFFICIENT PHYSIC.

THEY MUST KNOW

sworn statements from eye wit-
nesses.

TO THE FARMERS

Agent of the Amalgamated Sugar
company will meet the farmers at the
different settlements at times be-
low stated, for the purpose of mak-
ing sugar beet contracts for the sea-
son of 1909.

Syracuse, Tuesday, February 23, at
11 o'clock a. m.

Hooper, Tuesday, February 23, at 2
o'clock p. m.

Roy, Wednesday, February 24, at 2
o'clock p. m.

Kanesville, Thursday, February 25,
at 2 o'clock p. m.

Warren, Friday, February 26, at 11
o'clock a. m.

Plain City, Friday, February 26, at 2
o'clock p. m.

Farmers not able to meet at these
places can make beet contracts any
Saturday, until March 15, 1909, at the
sugar company's office in Ogden City.

Thirtieth street, without charge.

City Attorney DeVine attended the
meeting and he was instructed to
draft a franchise resolution in keeping
with the decision of the committee, to
be presented at the meeting of the
council next Monday. The commit-
tee at the next meeting of the council
will ask that the franchise be granted.
The proposed franchise will eliminate
the exaction that the Rapid Transit
company haul gravel from the canyon
to the city free of charge for the im-
provement of the streets or for any
other purpose.

THEATER EXCURSION TO SALT
LAKE via Salt Lake & Ogden Railway,
Saturday, March 13. Special train
leaves Salt Lake about 11 p. m., \$1.00
round trip. Both phones 2000. Ask
the agent.

POWER OF THE PRESS

Humble Toiler of the Newspaper Fran-
ternity a Hero for Sure.

Deseret News: The power of the
press with "Representative" A. F.
Phillips of the Tribune the hero of the
occasion, was demonstrated in the
house of representatives this morn-
ing, but for which the house had
stood adjourned since dis-
cuss several days' business yet un-
finished. It happened like this:

The psychological moment had ar-
rived; it was 11:55. Only five minutes
remained in which the house could
legally transact the vast volume of
business yet starting it in the face.
In the midst of the consideration of
the fish and game bill one of the mem-
bers made a motion to stop the ser-
geant-at-arms from opening the door
to the house, so that timepiece might
not tick off the last five minutes al-
lotted time for several days yet. The
motion was seconded and put by the
speaker. No one seemed to grasp its
import. The motion carried by a viva
vote, and the over-vigilant officer
of the house was about to carry out
the instructions of the house when
"Representative" Phillips, the dean
of the third house, arose in his place
and informed the speaker that under
parliamentary usage, adopted in the
national congress, no motion to "stop
a clock" by the house was permitted;
that if such action were permitted to
occur, it was supposed to be without
the knowledge or connivance of the
house as such; and that the passage
of a motion such as that just put, had
the effect of terminating the existence
of the eighth session of the legisla-
ture.

Speaker Robinson, who had just told
the members to "speak out" without
his seeing them, called them back to
their seats, and presenting the case
as set forth by "Representative" Phil-
lips, asked the pleasure of the house.

Representative Thompson was
"Johnny on the spot" and made a mo-
tion to expunge from the record the
motion to "stop the clock." The mo-
tion carried unanimously, and the jour-
nal of the sixtieth day was contain no
reference to the incident by which the
life of the house was nearly brought
to a premature end.

VANCE STILL HOPES
FOR ACQUITTAL

This is the day upon which Thomas
Vance, the convicted wife murderer,
was to have been executed under the
sentence of the court in Salt Lake. An
intervention, however, was instituted
by his attorneys, W. L. Maginnis and
others, which stays the execution.

The attorneys for the condemned
man, immediately after the sentence
had been passed, served notice of in-
tention of making a motion for a new
trial and the time for hearing the mo-
tion was set for tomorrow, the 13th,
the time of execution being fixed as
Friday the 12th, today. This condi-
tion of affairs rather confused mat-
ters in the case, and in order to be on
the safe ground, Vance's attorneys
appealed to the governor of the state
for a reprieve.

This reprieve was granted yester-
day afternoon and will hold good un-
til March 20th, one week from tomor-
row. Hence the executioners will be
cheated of their victim. In the mean-
time the motion for a new trial will
be argued, the attorneys for the con-
demned man feeling confident that the mo-
tion will be granted and that the life
of Vance will be saved. The motion
for the new trial will be argued in the
district court of Salt Lake to-
morrow, and it is said by the attorneys
for the defendant that if the motion
is not granted the matter will be car-
ried to the supreme court of the state.

Better Have Come Here.
A noted sculptress, after a world-
wide search for a perfect model for a
statue of Venus, declares she found
the ideal beautiful woman only in
America. She might have saved a
lot of time and labor by beginning
her round-the-world search right in
New York.—New York Herald.

LEGAL.

STOCKHOLDERS' MEETING

Notice is hereby given that the an-
nual meeting of the stockholders of the
Overland Mining & Milling com-
pany will be held at the office of E. M.
Conroy, 300 25th street, Tuesday,
March 9th, 1909, at 7:30 p. m., for the
purpose of electing officers for the en-
suing year and transacting such other
business as may come before the meet-
ing. A full representation is request-
ed. ALBERT SCOWCROFT,
President.

Notice of Postponement.
The above meeting has been post-
poned until Friday March 19, 1909.
C. W. HESTMARK, Secretary.

NOTICE TO WATER USERS.
State Engineer's office,
Salt Lake City, Utah, February 23,
1909.

Notice is hereby given that Charles
E. Smith, whose postoffice address is
Ogden, Utah, has made application in
accordance with the requirements of
Chapter 108, Session Laws of Utah,
1905, as amended by the Session Laws
of Utah, 1907, to appropriate one-tenth
(1-10) of a cubic-foot per second of
water from a spring in Weber county,
Utah. Said spring is situated at a point
which lies 500 feet north and 320 feet
west of the center of Section 22, Town-
ship 6 north, Range 1 west, Salt Lake
base and meridian. Said water will be
diverted at the point where it issues
from said spring and conveyed
by means of a pipe line for a distance
of 650 feet and there used from Janu-
ary 1 to December 31, inclusive, of
each year, for domestic purposes. This
application is designated in the State
Engineer's office as No. 2105.

All protests against the granting of
said application, stating the reasons
therefor, must be made by affidavit in
duplicate and filed in this office within
thirty (30) days after the completion
of the publication of this notice.

CALEB TANNER, State Engineer.
Date of first publication February
27; date of completion of publication
March 23, 1909.

NOTICE TO WATER USERS.
State Engineer's office,
Salt Lake City, Utah, February 23,
1909.

Notice is hereby given that Chester
E. Coulter, whose postoffice address is
Ogden, Utah, has made application in
accordance with the requirements of
Chapter 108, Session Laws of Utah,
1905, as amended by the Session Laws
of Utah, 1907, to appropriate two (2)
cubic-feet per second of water from
springs in Weber county, Utah. Said
springs are situated at a point which
lies north 79 degrees 14 minutes east
1,900 feet distant from the southwest
corner of Section 34, Township 6 north,
Range 1 west, Salt Lake base and
meridian. Said water will be diverted
at the point where it issues from said
spring, collected and conveyed by
means of a channel for a distance of
about 3,000 feet and there used from
April 1 to November 1, inclusive, of
each year, to irrigate 120 acres of
land embraced in Section 33, Town-
ship 6 north, Range 1 west, Salt Lake
base and meridian. As much water
as may be necessary will be used dur-
ing the entire year for domestic pur-
poses. This application is designated
in the State Engineer's office as No.
2102.

All protests against the granting of
said application, stating the reasons
therefor, must be made by affidavit in
duplicate and filed in this office with-
in thirty (30) days after the comple-
tion of the publication of this notice.

CALEB TANNER, State Engineer.
Date of first publication February
27; date of completion of publication
March 23, 1909.

ORDINANCE.

An Ordinance Granting a Franchise to
Lyman Skeen, Joseph A. Taylor
and J. M. Child, Their Successors
and Assigns, For the Construction
and Operation of a Railroad With-
in Weber County, State of Utah.

The Board of County Commission-
ers of the County of Weber, in the
State of Utah, ordains as follows:

Section 1. That there be, and here-
by is granted to Lyman Skeen, Joseph
A. Taylor and J. M. Child of Weber
County, State of Utah, their suc-
cessors and assigns, a Franchise to con-
struct and operate a continuous line
of railroad, together with all switches,
side tracks, spurs and pole lines neces-
sary or convenient in the construction
and operation thereof for the transpor-
tation of passengers, freight, express
and mail matter over and along the
public highway from the northern
limits of Ogden City, Weber County,
State of Utah, through Harrisville,
Farr West and Plain City to the west
and north lines of Section Thirty-two
(32), Township Seven (7) North of
Range Two (2) West, Salt Lake Meri-
dian.

Section 2. The above and foregoing
grant is subject to the following con-
ditions:

1. Said railroad shall be construct-
ed and operated in such a manner as
to present the least possible obstruc-

LEGAL.

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Overland Mining & Milling com-
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purpose of electing officers for the en-
suing year and transacting such other
business as may come before the meet-
ing. A full representation is request-
ed. ALBERT SCOWCROFT,
President.

Notice of Postponement.
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poned until Friday March 19, 1909.
C. W. HESTMARK, Secretary.

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State Engineer's office,
Salt Lake City, Utah, February 23,
1909.

Notice is hereby given that Charles
E. Smith, whose postoffice address is
Ogden, Utah, has made application in
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Chapter 108, Session Laws of Utah,
1905, as amended by the Session Laws
of Utah, 1907, to appropriate one-tenth
(1-10) of a cubic-foot per second of
water from a spring in Weber county,
Utah. Said spring is situated at a point
which lies 500 feet north and 320 feet
west of the center of Section 22, Town-
ship 6 north, Range 1 west, Salt Lake
base and meridian. Said water will be
diverted at the point where it issues
from said spring and conveyed
by means of a pipe line for a distance
of 650 feet and there used from Janu-
ary 1 to December 31, inclusive, of
each year, for domestic purposes. This
application is designated in the State
Engineer's office as No. 2105.

All protests against the granting of
said application, stating the reasons
therefor, must be made by affidavit in
duplicate and filed in this office within
thirty (30) days after the completion
of the publication of this notice.

CALEB TANNER, State Engineer.
Date of first publication February
27; date of completion of publication
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cubic-feet per second of water from
springs in Weber county, Utah. Said
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means of a channel for a distance of
about 3,000 feet and there used from
April 1 to November 1, inclusive, of
each year, to irrigate 120 acres of
land embraced in Section 33, Town-
ship 6 north, Range 1 west, Salt Lake
base and meridian. As much water
as may be necessary will be used dur-
ing the entire year for domestic pur-
poses. This application is designated
in the State Engineer's office as No.
2102.

All protests against the granting of
said application, stating the reasons
therefor, must be made by affidavit in
duplicate and filed in this office with-
in thirty (30) days after the comple-
tion of the publication of this notice.

CALEB TANNER, State Engineer.
Date of first publication February
27; date of completion of publication
March 23, 1909.

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Lyman Skeen, Joseph A. Taylor
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and Assigns, For the Construction
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in Weber County, State of Utah.

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ers of the County of Weber, in the
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of railroad, together with all switches,
side tracks, spurs and pole lines neces-
sary or convenient in the construction
and operation thereof for the transpor-
tation of passengers, freight, express
and mail matter over and along the
public highway from the northern
limits of Ogden City, Weber County,
State of Utah, through Harrisville,
Farr West and Plain City to the west
and north lines of Section Thirty-two
(32), Township Seven (7) North of
Range Two (2) West, Salt Lake Meri-
dian.

Section 2. The above and foregoing
grant is subject to the following con-
ditions:

1. Said railroad shall be construct-
ed and operated in such a manner as
to present the least possible obstruc-

LEGAL.

(Continued)

tion and inconvenience to the travel-
ing public, and ample provision shall
be made for the free and unobstruc-
ted flow of water for all purposes, and
all boxes and culverts which may be
required shall be constructed and
maintained in good condition by the
said grantees, their successors and
assigns. The track, switches, side
tracks, and spurs shall be laid and
maintained on the grade established by
the Board of County Commission-
ers, and good and substantial cross-
ings shall be made and maintained by
the grantees, their successors and
assigns, at the intersection of all pub-
lic and private streets and alleys,
highways, crossings and at all other
points where necessary and prescribed
by the said Board of County Com-
missioners.

2. This franchise shall not be deem-
ed exclusive, and nothing herein con-
tained shall prevent the said Weber
County from laying gas or water
mains, or altering or repairing in any
manner the portion of the highway
owned by the said grantees, their suc-
cessors and assigns, but all such im-
provements shall be made with as lit-
tle injury to the railroad or pole lines
as possible, and only after reasonable
notice, not exceeding thirty (30) days,
and the said grantees, their suc-
cessors and assigns, during the prosecu-
tion of any such work shall have the
right to lay temporary tracks if
necessary.

3. Modern improvements used in
the operation of railroads for the
convenience, comfort and safety of
passengers and the employees of said
railroad shall be adopted and used, and
after said railroad shall have been
electrified, cars shall be run thereon at
regular intervals, both ways, each
day, and the grantees, their suc-
cessors and assigns, shall at all times,
both in the construction and opera-
tion of said railroad, be subject to
and conform with all reasonable rules
and regulations established by the
Board of County Commissioners.

4. Said grantees, their successors
and assigns shall hold Weber County
harmless from any damages which
any person or corporation may suffer
in the construction or operation of
said railroad through the default, ne-
glect or misconduct of said grantees,
their successors and assigns.

5. This franchise shall be accepted
by the said grantees within ten (10)
days after the actual construction of
the said railroad begun within six (6)
months and said railroad in opera-
tion within one (1) year from the date
hereof, or this franchise shall be null
and void, provided, however, that if
the said grantees, their successors or
assigns shall be hindered or delayed
in the construction of said railroad by
conditions over which they have no
control, then, the time during which
they are so hindered or delayed by
such conditions shall be added to the
time herein specified.

Section 3. The rights hereby grant-
ed shall exist and inure to the benefit
of the said grantees, their successors
and assigns for a period of fifty (50)
years, to-wit, until the 23rd day of
March, A. D. 1959, provided written
acceptance of this ordinance and all
the terms and conditions hereof be
filed by the said Lyman Skeen, Joseph
A. Taylor and J. M. Child, or their
successors and assigns, with the Coun-
ty Clerk of Weber County, Utah, with-
in ten (10) days after the passage of
this ordinance.

Section 4. This ordinance shall be
in effect on and after the 23rd day of
March, A. D. 1909, said date being
not less than fifteen (15) days after
its passage.

Passed, this 8th day of March, A. D.
1909.

Commissioner O. B. Madison voting
"aye."
Commissioner Frank Moore voting
"aye."

Commissioner John T. Bybee voting
"aye."

OSCAR B. MADSON, Chairman.

Attest: SAMUEL G. DYE,
County Clerk in and for Weber Coun-
ty, State of Utah.

State of Utah, County of Weber—ss.
I, SAMUEL G. DYE, County Clerk
in and for Weber County, State of
Utah, and Ex-Officio Clerk of the
Board of County Commissioners of
said County, do hereby certify that the
above and foregoing Ordinance, en-
titled "An Ordinance Granting a Fran-
chise to Lyman Skeen, Joseph A. Tay-
lor and J. M. Child, Their Successors
and Assigns, For the Construction and
Operation of a Railroad Within We-
ber County, State of Utah," was duly
passed by the said Board of County
Commissioners at a meeting thereof
held on the 8th day of March, A. D.
1909, and that upon the final passage
thereof, Oscar B. Madison, Frank Moore
and John T. Bybee, each and all voted
"aye."